UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,367	09/25/2003	Hironori Hosoda	8043-1018	3375

466 7590 03/24/2009

YOUNG & THOMPSON
209 Madison Street
Suite 500
ALEXANDRIA, VA 22314

EXAMINER	
TANG, KAREN C	
ART UNIT	PAPER NUMBER
2451	
MAIL DATE	DELIVERY MODE
03/24/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/669,367	HOSODA ET AL.	
	Examiner	Art Unit	
	KAREN C. TANG	2451	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 December 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *10-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *10-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

- This action is responsive to the amendment and remarks file on 4/17/08.
- Claims 1-11 are presented for further examination.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 4/17/08 have been fully considered but they are not persuasive.

Applicant argues that the cited art Sumino did not explicitly disclosing that the "means ...held by an operating system.." in Claim 1, and thus this feature is missing from the combination and would not be obvious to one of ordinary skill in the art.

Examiner disagrees.

It is well known in the art that an operating system is an interface between hardware and user and it acts as a host for applications that run on the machine. By invoking the applications within the computers, the application "must" requests a service from the "operating system". Furthermore, it is further well known in the art that in a portable communication device, the user interface is generally considered part of the operating system, thus, by application processing the act of determining the time zone, and present the information on the GUI of the portable communication device, the act of determining of the time zone must be held by an operating system of the portable communication device.

Thus, the rejection is maintained.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically discloses or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 10, 12-13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sumino (US 2001/0027108) in view of Motomura (EP 1209863).

1. Referring to Claim 10, Sumino discloses a system comprising: means for determining a time zone location of the portable communication device based on the time zone data held by an operating system of the portable communication device (portable telephone device is able to recognize the countries it is in, refer to 0008, and able to determine the time zone location/countries in the same time differences, refer to 0009, based on the time zone location data hold in the device, refer to 0009 and 0032); means for determining a country mode conforming to the wireless communication system of a country corresponding to the time zone location of the portable communication device (determined the frequency bands/mode use in the current country which the portable communication device located, refer to 0050-0051); means for displaying candidate countries on a display of the portable communication device for selection of one of the candidate countries as a present-location countries when plural countries are present in the time zone location of the portable communication device (refer to Fig 8A and 0062);

Although Sumino disclose the invention substantially as claimed, Sumino did not explicitly disclosing "system is a wireless LAN system"

Motomura, in an analogous art, discloses "system is a wireless LAN system (refer to 0005)"

Hence, providing feature discloses by Motomura, would be desired for a user to implements wireless data communication in order to provides conveniences for user to automatically adjust the operating frequency every time the electronic apparatus crosses a border since different countries have different usable frequency bands.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system of Sumino by including the feature provided by Motomura in order to expertise the process to find the country's frequency mode

2. Referring to Claim 12, Sumino and Motomura disclose the system of claim 10, Sumino discloses wherein the portable communication device further comprises a time zone data table with time zone data stored therein and a country presetting table with country presetting data stored therein portable telephone device is able to recognize the countries it is in, refer to 0008, and able to determine the time zone location/countries in the same time differences, refer to 0009, based on the time zone location data hold in the device, refer to 0009 and 0032); wireless driver for setting the country mode (refer to 0050-0051) and a wireless hardware module for operating wireless driver (portable wireless apparatus has a hardware that operate the software module);

Although Sumino disclose the invention substantially as claimed, Sumino did not explicitly disclosing "wireless LAN system further comprises wireless LAN driver and a wireless LAN hardware module"

Motomura, in an analogous art, discloses "wherein the wireless LAN system further comprises a wireless LAN driver for setting the country mode and a wireless LAN hardware module for operating wireless LAN driver (software module for operating the country mode, and cellular phone for operating the software module, refer to 0039)."
Hence, providing feature discloses by Motomura, would be desired for a user to implements wireless data communication in order to provides conveniences for user to automatically adjust the operating frequency every time the electronic apparatus crosses a border since different countries have different usable frequency bands.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system of Sumino by including the feature provided by Motomura in order to expertise the process to find the country's frequency mode

3. Referring to Claim 13, Sumino and Motomura disclose the system of claim 12, Sumino discloses wherein the wireless driver includes a present country deciding part for deciding the present-location country based on the time zone data in the time zone data table (portable telephone device is able to recognize the countries it is in, refer to 0008, and able to determine the time zone location/countries in the same time differences, refer to 0009, based on the time zone location data hold in the device, refer to 0009 and 0032), a presetting part for reading and setting the country mode based on the present-location country decided by the present country

deciding part (determined the frequency bands/mode use in the current country which the portable communication device located, refer to 0050-0051), and a device driver part for receiving adaptive command transmitted from the presetting part (set the setting for the phone, refer to Fig 8A).

Although Sumino disclose the invention substantially as claimed, Sumino did not explicitly disclosing "wireless LAN system further comprises wireless LAN driver"

Motomura, in an analogous art, discloses "wherein the wireless LAN system further comprises a wireless LAN driver (software module for operating the country mode, and cellular phone for operating the software module, refer to 0039)."

Hence, providing feature discloses by Motomura, would be desired for a user to implements wireless data communication in order to provides conveniences for user to automatically adjust the operating frequency every time the electronic apparatus crosses a border since different countries have different usable frequency bands.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system of Sumino by including the feature provided by Motomura in order to expertise the process to find the country's frequency mode

4. Referring to Claim 15, Sumino and Motomura disclose the system of claim 10, Sumino discloses wherein the portable communication is a personal computer (portable telephone apparatus, i.e., mobile phone, refer to 0006 and 0007).

Claims 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sumino (US 2001/0027108) in view of Motomura (EP 1209863) in further view of Park (US 6,289,038).

5. Referring to Claim 11, Sumino and Motomura disclose the system of claim 10, Sumino discloses determine the country code (determined the frequency bands/mode use in the current country which the portable communication device located, refer to 0050-0051); means for determined the country mode checks whether the present-location country employs a frequency hopping system or DS-SS system (system check whether or not the portable wireless device is conform with the current country's DS-SS system: IS 95 employs the DS-SS system, refer to 0049-0051); and determines the country code for each of the FH and DS-SS systems (if the mode is not conform with the one that country currently employed, alter the code, refer to 0049-0051) Although Sumino and Motomura disclose the invention substantially as claimed, Sumino and Motomura did not explicitly stated the term "DD-SS system or FH system".
Park, in an analogous art, discloses IS-95 CDMA employs direct-sequence spread spectrum (DD-SS, refer to Col 1, Lines 45-47) and another form of spread spectrum called frequency spread spectrum (refer to Col 1, Lines 57-59).

Hence, providing feature discloses by Park, would be desired for a user to implement in the system in order to obtain frequency diversity and flexibility depends on the system currently employed.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system of Sumino and Motomura by including the feature provided by Park which discussing the DD-SS system and its alternate form FS-SS system which is utilizing in the

telecommunication network in order to provide frequency diversity and flexibility in the wireless portable system.

Claims 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sumino (US 2001/0027108) in view of Motomura (EP 1209863) in further view of Chen et al hereinafter Chen (US 2003/0040321).

6. Referring to Claim 14, Sumino and Motomura the system of claim 12, Sumino further discloses wherein the time zone data are stored with the time zone data table (portable telephone device is able to recognize the countries it is in, refer to 0008, and able to determine the time zone location/countries in the same time differences, refer to 0009, based on the time zone location data hold in the device, refer to 0009 and 0032);
Although Sumino disclose the invention substantially as claimed, Sumino did not explicitly disclosing "the time zone data are stored with a world map in the time zone data table";
Motomura, in an analogous art, discloses "the time zone data are stored with a world map in the time zone data table (refer to 0038)."

Hence, providing feature discloses by Motomura, would be desired for a user to implements wireless data communication using Bluetooth with various other electronic apparatuses, and therefore, provides conveniences for user so that user doesn't have to adjust the operating frequency every time the electronic apparatus crosses a border although different countries have different usable frequency bands.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system of Sumino by including the feature provided by Motomura in order to expertise the process to find the country.

Although Sumino and Motomura disclose the invention substantially as claimed, Sumino and Motomura did not explicitly disclosing, "the time zone data is displayed on the display of the portable communication device in response to a request".

Chen, in an analogous art discloses "the time zone data is displayed on the display of the portable communication device in response to a request" ("display the time increase one hours from preset time", refer to 0020).

Hence, providing a time zone data table with time zone data stored therein disclosed by Chen, would be desired for user to incorporate in the wireless device since it would provide the convenient for user to adjust the time zone according to the local time to wherever the user is currently located.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the systems of Sumino and Motomura by including the features which providing the time zone data in the device, therefore, the function of Chen would obviously provides the time zone in according to user's preference.

Conclusion

Examiner's Notes: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific

limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/K. C. T./
Examiner, Art Unit 2451

/Larry D Donaghue/
Primary Examiner, Art Unit 2454